

Final: March 17, 2015

**MEETING OF THE BOARD OF DIRECTORS OF THE WATER AUTHORITY OF GREAT NECK NORTH HELD ON MARCH 2, 2015, AT 50 WATERMILL LANE, GREAT NECK, NEW YORK.**

**PRESENT:**

Michael C. Kalnick, Chairperson  
Jean Celender, Director  
Carol Frank, Director  
Ralph J. Kreitzman, Director  
Dr. Dan Levy, Director

Village of Kings Point  
Village of Great Neck Plaza  
Town of North Hempstead  
Village of Great Neck  
Village of Saddle Rock

**ALSO PRESENT:**

Robert Graziano, Deputy Chairperson  
Gregory Graziano, Superintendent  
Christine Skrypek, Treasurer  
Stephen Moriarty, Assistant Superintendent  
Lisa Schlichting, Secretary  
Stephen Limmer, Counsel

Bill Merklin

Water Authority of Great Neck North  
Water Authority of Great Neck North  
Water Authority of Great Neck North  
Water Authority of Great Neck North  
Water Authority of Great Neck North  
Ackerman, Levine, Cullen, Brickman &  
Limmer, LLP  
Dvirka & Bartilucci, Consulting Engineer

**NOT PRESENT:**

Edward Causin, Director  
Susan Lopatkin, Director  
Steven Weinberg, Director  
Howard Miskin, Vice Chairperson  
Robert McCormack, Supervisor, Water  
Plant Operations

Village of Great Neck Estates  
Village of Kensington  
Village of Thomaston  
Water Authority of Great Neck North  
Water Authority of Great Neck North

The Board meeting was called to order at 6:10 p.m. Five members (Chairperson/Director Kalnick, Directors Celender, Frank, Kreitzman, and Levy) were present, constituting a quorum.

On the motion of Director Levy, seconded by Director Kreitzman, by Resolution #15-03-01, the Board acknowledged that the Minutes of the Board's January 29, 2015, meeting were reviewed by the Directors and were approved. The vote was 5 for, 0 against, 0 abstentions.

On the motion of Director Levy, seconded by Director Kreitzman, by Resolution #15-03-02, the Board acknowledged that the Abstract of Claims was reviewed by the Directors and the Abstract was approved. The vote was 5 for, 0 against, 0 abstentions. A copy of the Abstract is on file with the Secretary.

On the motion of Director Levy, seconded by Director Kreitzman, by Resolution #15-03-03, the Board acknowledged that the Treasurer's Monthly Report was reviewed by the Directors and the Report was accepted. The vote was 5 for, 0 against, 0 abstentions. A copy of the Report is on file with the Secretary.

Bill Merklin presented the Engineer's Report:

The Contractor is working on the final punch list items for the Electrical Improvements for Well 10A at Ravine Road. D&B Engineers and Architects, P.C. ("D&B") is working with the New York State Environment Facilities Corporation's ("EFC") to obtain the required Minority and Women Owned Business Enterprises ("MWBE") waivers.

Provisions that are required for the EFC funding have been included in the contract documents for the Rehabilitation of Well 11A at Watermill Lane. The contract documents were sent to the New York State Department of Health ("NYSDOH") for review. The contract will be put out for public bidding upon receipt of approval from the NYSDOH and EFC.

Work is on hold until the weather allows it to start again for the Water Main Improvements on Martin Court, Grassfield Road, and Kings Point Road.

Design work has been completed and the contract for construction will be publically bid in the spring of 2015 for the Woodland Place Development Water Main Improvements. The work is dependent on the developer's schedule and the receipt of required permits.

D&B is working with the Authority to negotiate an agreement with the cellular carriers to pay the cost of structural enhancements on the Weybridge Road Tank catwalk and the handrails required to support the cellular carrier's equipment.

Bill Merklin reviewed the adequacy of the 2015 insurance of the Authority and concurred that it was adequate and in accordance with the requirements of the Bond Resolution adopted April 21, 2008. On the motion of Director Celender, seconded by Director Kreitzman, by Resolution #15-03-04, the Board accepted the Annual Insurance Certification for 2015 from the Consulting Engineer and instructed the Treasurer to file the Certification with the Trustee. The vote was 5 for, 0 against, 0 abstentions.

Gregory Graziano presented the Superintendent's Report:

Superintendent Graziano advised the Board that the Hydrants, Valves, and Fittings contract with T. Mina Supply Inc., and Joseph G. Pollard Co, Inc., expires on May 31, 2015 and recommended that it be put out for bid. On the motion of Director Levy, seconded by Director Kreitzman, by Resolution #15-03-05, the Board approved putting the Hydrants, Valves, and

Fittings contract out for bid. The vote was 5 for, 0 against, 0 abstentions. The notice to bidders will be placed in the Great Neck Record and the bid document will be posted on the Authority's website.

Superintendent Graziano requested the Board's approval to sell as, surplus, a 2000 Ringo Trailer to the highest bidder, in "as is" condition. The Superintendent advised that the trailer will not be replaced. The trailer will be posted for auction online through GovDeals, Inc. On the motion of Director Celender, seconded by Director Levy, by Resolution #15-03-06, the Board approved selling the 2000 Ringo Trailer to the highest bidder in "as is" condition. The vote was 5 for, 0 against, 0 abstentions.

The discussion regarding the responsibility for the repairs of a Village electrical line that was not marked out in the Village of Saddle Rock was tabled to the next meeting for further investigation of the facts.

The Board discussed the environmental impacts of the Storm Mitigation Improvements Project and the proposed "Negative Declaration For Storm Mitigation Improvements Project" resolution to satisfy the environmental review requirements with regard to the \$15,038,000 Water Authority of Great Neck North, Nassau County NYS Drinking Water State Revolving Fund / Storm Mitigation Loan Program (SMLP) DWSRF Project No.: 18146, which had been circulated in advance of the meeting to all of the Directors. On the motion of Director Levy, seconded by Director Celender, by Resolution #15-03-07, the Board adopted the following resolution:

#### **NEGATIVE DECLARATION FOR STORM MITIGATION IMPROVEMENT PROJECT**

WHEREAS, the Water Authority of Great Neck North is proposing to implement the Storm Mitigation Improvements Project to protect designated water supply wells and minimize the risk of well damage or disruption of services during future flood events in order to maintain essential water supply services without interruption. The New York State Department of Health has determined that this project is eligible for funding under the Storm Mitigation Loan Program (SMLP) established through the New York State Drinking Water State Revolving Fund (DWSRF) provisions of the Federal Disaster Relief Appropriations Act enacted following Hurricane Sandy.

WHEREAS, the Storm Mitigation Improvements Project consists of the elevation of public water supply wellheads and associated equipment at Wells 2A, 5, 6, 8 and 11A to protect these supply wells and minimize the risk of well damage or disruption of services during future flood events; the installation of automatic standby generators at Wells 6 and 10A to keep these wells operating during power outages to supply potable water and ensure proper water pressure to meet critical fire flow demand; and the purchase of a portable generator to give the Authority the flexibility to bring emergency power to locations that need it to respond to power losses.

WHEREAS, in accordance with SMLP program requirements, the proposed project was classified as a State Environmental Quality Review (SEQR) Type 1 equivalency project and a coordinated environmental review was performed in compliance with the standards set forth by the National Environmental Protection Act (NEPA) and the New York State Environmental Review Process (SERP) requirements.

WHEREAS, the Water Authority of Great Neck North completed a SEQR Full Environmental Assessment Form (EAF) with supporting information for the proposed storm mitigation improvements project in accordance with SEQR requirements (6 NYCRR Part 617).

WHEREAS, the Water Authority of Great Neck North prepared an Environmental Information Document (EID) to satisfy NEPA requirements in accordance with the *New York State Revolving Fund Environmental Review Requirements for Equivalency Projects (May 1, 2014)*.

WHEREAS, the Water Authority of Great Neck North on November 24, 2014 notified involved and interested agencies of its intent to act as the lead agency for the coordinated environmental review as required under 6 NYCRR Part 617.6(b) of the State Environmental Quality Review regulations. Copies of the Full EAF and NEPA EID were forwarded to the involved agencies for review on November 24, 2014. No comments were received from any of the involved or interested agencies within the 30 day timeframe specified in the November 24<sup>th</sup> submittal.

WHEREAS, the Water Authority of Great Neck North shall submit engineering plans and specifications for each phase of the project to the Nassau County Department of Health and the New York State Department of Health for review and approval prior to implementing construction on each phase.

WHEREAS, the Water Authority of Great Neck North has determined, based on the Full EAF and NEPA EID, that the proposed project will not adversely impact the environment, land use, natural resources or public resources. The work areas at each of the supply well facilities (Wells 2A, 5, 6, 8, 10A and 11A) will be limited to the construction zone immediately adjacent to the existing public supply wells and well houses. The project will be completed entirely on property owned by the Authority and primarily involves in-kind replacement of equipment and structures. The project does not include property acquisition or expansion of facilities. Environmentally sensitive areas, such as tidal and freshwater wetlands, coastal areas and flood zones will be protected during the work to ensure that construction activities and subsequent daily operations do not disturb or otherwise impact these areas. The proposed project will not alter, change the size or encroach upon any existing wetland, waterbody, shoreline, beach or adjacent area. The Authority will coordinate with regulatory agencies to obtain any required permits before construction work begins to comply with all applicable environmental regulations and permit conditions. Best management practices will be developed during design and implemented to avoid impacts to environmentally sensitive areas.

WHEREAS, the Water Authority of Great Neck North, as lead agency has determined that the Storm Mitigation Improvements Project (DWSRF Project #18146) will not have a significant adverse environmental impact based on the coordinated environmental review. A Draft Negative Declaration notice was published in the January 21, 2015 Environmental Notice Bulletin and the January 23, 2015 edition of the Great Neck News as required by the *New York State Revolving Fund Environmental Review Requirements for Equivalency Projects (May 1, 2014)* as applicable to the SMLP project. The public was invited to submit comments on the Draft Negative Declaration for fourteen (14) days following publication of this notice. One comment letter was received, dated February 3, 2015 from the Sabin Center for Climate Change Law, suggesting that the project design consider climate change impacts. The Authority submitted a response letter dated February 10, 2015 indicating that the projects would be designed to meet SMLP elevation requirements, considering many factors including impacts associated with climate change.

NOW, THEREFORE, BE IT RESOLVED that based on a review of the foregoing, the Water Authority of Great Neck North hereby determines that the proposed Storm Mitigation Improvements Project will not have a significant adverse effect on the environment for the reasons set forth in the Full EAF and the NEPA EID.

NOW, THEREFORE, BE IT RESOLVED, that Superintendent Gregory C. Graziano is authorized to take all actions reasonable and necessary to file the SEQR Negative Declaration and discharge the Water Authority of Great Neck North's responsibility as lead agency for this action.

NOW, THEREFORE, BE IT RESOLVED, that the Water Authority of Great Neck North hereby adopts this Negative Declaration for the Storm Mitigation Improvements Project.

The vote was 5 for, 0 against, 0 abstentions.

Counsel Limmer submitted a letter to confirm his firm's engagement as local counsel to the Authority for the EFC's SMLP Project. Compensation will be in accordance with the retainer letters dated September 10, 2013, for the calendar year 2014, and October 7, 2014, for the calendar year 2015. In no event will the fees exceed \$25,000.00. On the motion of Director Celender, seconded by Director Levy, by Resolution #15-03-08, the Board unanimously approved the retention of Stephen Limmer and the firm of Ackerman, Levine, Cullen, Brickman & Limmer, LLP, as Local Counsel for the Authority's SMLP Project, pursuant to Stephen Limmer's proposed retainer letter dated January 28, 2015. The vote was 5 for, 0 against, 0 abstentions. A copy of the letter is on file with the Secretary.

Counsel Limmer submitted a letter to confirm his engagement to act as the Authorized Representative of Gregory C. Graziano, as Minority Business Officer for the Authority, to assist in the implementation of the EFC's MWBE program requirements for the SMLP Project. Compensation will be as General Counsel, with the same fee basis as construction contracts, in accordance with the retainer letter dated October 7, 2014, for the calendar year 2015. In no event will the fees exceed \$25,000.00. On the motion of Director Celender, seconded by Director Levy, by Resolution #15-03-09, the Board unanimously approved the retention of Stephen Limmer and the firm of Ackerman, Levine, Cullen, Brickman & Limmer, LLP, to act as the Authorized Representative of Gregory C. Graziano, as Minority Business Officer for the Authority for the Authority's SMLP Project, pursuant to Stephen Limmer's proposed retainer letter dated February 9, 2015. The vote was 5 for, 0 against, 0 abstentions. A copy of the letter is on file with the Secretary.

D&B submitted its proposal for Engineering Services for additional work related to its agreement for the Replacement of Well 11A. The additional work will be required to incorporate the EFC requirements in the Construction Contract Documents as well as to provide the required administration and documentation during construction. The maximum fees for salary cost are:

Fee Description	Well Permitting	Detailed Design	Bidding & Construction	Total
Current Agreement	\$23,000	\$96,300	\$57,000	\$176,300
Additional Fees		\$2,500	\$ 9,000	\$11,500
Total Fees	\$23,000	\$98,800	\$66,000	\$198,800

On the motion of Director Levy, seconded by Director Kreitzman, by Resolution #15-03-10, the Board approved D&B's proposal for Engineering Services related to amendments for Replacement Well 11A to address EFC requirements. The vote was 5 for, 0 against, 0 abstentions. A copy of the proposal is on file with the Secretary.

On the motion of Director Levy, seconded by Director Celender, by Resolution #15-03-11, the Board adjourned for advice of counsel at 6:35 p.m. The Board emerged at 7:15 p.m. Chairman Kalnick announced that no action would be taken at the Executive Session and no minutes would be produced.

On the motion of Director Levy, seconded by Director Celender, by Resolution #15-03-12, the meeting was adjourned at 7:20 p.m.

Approved by Secretary:

*Lisa Schuchter*

Date:

*3/17/15*